

ATTN: MAIL STOP PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Jensen, Wayne A.  
Lappin, Michael R.  
Rosen, David K.  
Andrews, Janet S.

) Group Art Unit: 1648

)

) Examiner:

)

)

INFORMATION DISCLOSURE  
STATEMENT

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Serial No.: not yet assigned

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Filed: September 25, 2003

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Atty. File No.: DI-9-1

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For: "USE OF RECOMBINANT ANTIGENS  
TO DETERMINE THE IMMUNE  
STATUS OF AN ANIMAL"

)

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<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO MAIL STOP PATENT APPLICATION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THIS <u>25</u> DAY OF SEPTEMBER 2003.</p> <p style="text-align: center;">HESKA CORPORATION</p> <p>By: <u>Susan A. Gordon</u></p> <p style="text-align: right;">Susan A. Gordon</p>
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MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to Applicants' duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicants hereby provide the enclosed Form PTO-1449. The present application, Serial No. [not yet assigned], relies upon the previously filed application, Serial No. 09/521,738, filed March 9, 2000, for an earlier filing date. Therefore, in accordance with 37 CFR § 1.98(d), copies of all documents listed on attached Form PTO-1449 that were previously submitted to the U.S. Patent and Trademark Office or cited in Office Actions in Application Serial No. 09/521,738 are not herein provided.

Respectfully submitted,

Dated: September 25, 2003

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<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Page 1 of 3	<b>ATTY. DOCKET NO.</b> DI-9-1	<b>SERIAL NO.</b> not yet assigned
	<b>APPLICANT</b> Wayne A. Jensen, Michael R. Lappin, David K. Rosen, and Janet S. Andrews	
	<b>FILING DATE</b> September 25, 2003	<b>GROUP</b>

U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	ISSUE DATE	PATENTEE	CLS	SUB-CLS	FILE DATE
	A1	4,313,734	Feb. 2, 1982	Leuversing	23	230 B	
	A2	4,366,241	Dec. 28, 1982	Tom et al.	435	7	
	A3	4,469,787	Sep. 4, 1984	Woods et al.	435	7	
	A4	4,623,461	Nov. 18, 1986	Hossom et al.	210	445	
	A5	4,632,901	Dec. 30, 1986	Valkirs et al.	435	5	
	A6	4,693,834	Sep. 15, 1987	Hossom	210	767	
	A7	4,727,019	Feb. 23, 1988	Valkirs et al.	435	5	
	A8	4,775,636	Oct. 4, 1988	Moeremans et al.	436	518	
	A9	4,853,335	Aug. 1, 1989	Olsen et al.	436	527	
	A10	4,855,240	Aug. 8, 1989	Rosenstein et al.	436	514	
	A11	4,859,612	Aug. 22, 1989	Cole et al.	436	523	
	A12	4,923,680	May 8, 1990	Nelson	422	58	
	A13	4,939,096	Jul. 3, 1990	Tonelli	435	5	
	A14	4,962,023	Oct. 9, 1990	Todd et al.	435	7	
	A15	4,965,187	Oct. 23, 1990	Tonelli	435		
	A16	4,999,163	Mar. 12, 1991	Lennon et al.	422	58	
	A17	5,006,464	Apr. 9, 1991	Chu et al.	435	7.1	
	A18	5,120,643	Jun. 9, 1992	Ching et al.	435	7.92	
	A19	5,137,804	Aug. 11, 1992	Greene et al.	436	5	
	A20	5,141,850	Aug. 25, 1992	Cole et al.	436	525	
	A21	5,202,267	Apr. 13, 1993	Ditlow et al.	436	525	
	A22	5,202,268	Apr. 13, 1993	Kuhn et al.	436	525	
	A23	5,223,220	Jun. 29, 1993	Fan et al.	422	58	
	A24	5,256,372	Oct. 26, 1993	Brooks et al.	422	58	
	A25	5,391,272	Feb. 21, 1995	O'Daly et al.	204	153.12	
	A26	5,391,478	Feb. 21, 1995	Greene et al.	435	5	
	A27	5,356,785	Oct. 18, 1994	McMahon et al.	435	7.92	
	A28	5,418,171	May 23, 1995	Kimura et al.	436	518	

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
<b>EXAMINER:</b> Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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	A29	5,541,059	Jul. 30, 1996	Chu	435	5	
	A39	5,552,276	Sep. 3, 1996	Mochida et al.	435	6	
	A31	5,561,049	Oct. 1, 1996	Vold et al.	436	7.1	
	A32	5,571,667	Nov. 5, 1996	Chu et al.	435	5	
	A33	5,591,645	Jan. 7, 1997	Rosenstein	436	514	
	A34	5,622,871	Apr. 22, 1997	May et al.	436	514	
	A35	5,656,503	Aug. 12, 1997	May et al.	436	514	
	A36	5,679,526	Oct. 21, 1997	Buechler et al.	435	7.1	
	A37	5,714,389	Feb. 3, 1998	Charlton et al.	435	514	
	A39	5,726,010	Mar. 10, 1998	Clark	435	5	
	A39	5,726,010	Mar. 10, 1998	Clark	435	5	
	A40	5,750,333	May 12, 1998	Clark	436	5	
	A41	5,759,774	Jun. 2, 1998	Hackett et al.	435	2	
	A42	5,766,933	Jun. 16, 1998	El Shami et al.	435	287.2	
	A43	5,821,073	Oct. 13, 1998	Lee	435	7.92	
	A44	5,851,776	Dec. 22, 1998	Valkirs	436	7.1	
	A45	5,872,013	Feb. 16, 1999	Leunissen et al.	436	525	
	A46	5,888,826	Mar. 30, 1999	Ostgaard et al.	436	69	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATIONS							
EXAM. INITIAL		DOCUMENT NUMBER	PUBL. DATE	COUNTRY	CLS	SUB-CLS	TRANS ?
	B1	WO 85/05451	5 Dec. 1985	PCT			
	B2	WO 99/12038	11 Mar. 1999	PCT			
	B3	0 158 746 B1	12 Jun. 1991	EP			
	B4	0 180 638 B1	13 Jan. 1993	EP			

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<b>OTHER DOCUMENTS</b> (Including Author, Title, Date, Relevant Pages, Place of Publication)		
C1	Clark et al., 1991, <i>JAVMA</i> , Vol. 199, No. 10, pp. 1433-1443	
C2	Dawson et al., 1998, <i>J Vet Diagn</i> , Vol. 10, pp. 315-319	
C3	Fiscus et al., 1985, <i>Am J Vet Res</i> , Vol. 46, No. 4, pp. 859-863	
C4	Fontenot et al., 1992, <i>Journal of Clinical Microbiology</i> , Vol. 30, No. 7, pp. 1885-1890	
C5	Hill et al., 1995, <i>Am J Vet Res</i> , Vol. 56, No. 9, pp. 1181-1187	
C6	Hofmann-Lehmann et al., 1995, <i>Veterinary Immunology and Immunopathology</i> , Vol. 46, pp. 127-137	
C7	Hoover et al., 1996, <i>Aids Research and Human Retroviruses</i> , Vol. 12, pp. 379-383	
C8	Ikeda et al., 1998, <i>J. Vet. Med. Sci.</i> , Vol. 60, No. 8, pp. 973-974	
C6	Lau et al., 1992, <i>Veterinary Microbiology</i> , Vol. 31, pp. 139-146	
C10	Marciani et al., 1991, <i>Vaccine</i> , Vol. 9, pp. 89-96	
C11	McCaw et al., 1998, <i>JAVMA</i> , Vol. 213, No. 1, pp. 72-75	
C12	Osterhaus et al., 1989, <i>Vaccine</i> , Vol. 7, pp. 137-141	
C13	Scott et al., 1997, <i>Feline Practice</i> , Vol. 25, No. 4, pp. 12-19	
C14	Scott et al., 1999, <i>AJVR</i> , Vol. 60, No. 5, pp. 652-658	
C15	Spencer et al., 1991, <i>Journal of Wildlife Diseases</i> , Vol. 27, No. 4, pp. 578-583	
C16	Spencer et al., 1992, <i>Journal of Wildlife Diseases</i> , Vol. 28, No. 1, pp. 102-104	
C17	Waner et al., 1996, <i>J Vet Diagn Invest</i> , Vol. 8, pp. 427-432	
C18	Yagami et al., 1985, <i>Exp. Anim.</i> , Vol. 34, No. 3, pp. 287-293	
C19	Knapp, et al., 1999, <i>Vaccine</i> , Vol. 17, pp. 1663-1666	
C29	Bouche, et al., 1998, <i>Journal of Virological Methods</i> , Vol. 74, pp. 77-87	
C21	Spatz, et al., 1993, <i>Virology</i> , Vol. 197, pp. 125-136	
C22	Wild, et al., 1993, <i>Vaccine</i> , Vol. 11, Issue 4, pp. 438-444	
C23	Ekins, 1989, <i>Journal of Pharmaceutical and Biomedical Analysis</i> , Vol. 7, No. 2, pp. 155-168	
C24	Hofmann-Lehmann, et al., 1996, <i>Clinical and diagnostic laboratory immunology</i> , Sep., pp. 554-562	
C29	Maeda, et al., 1997, <i>Virus Genes</i> , Vol. 42, No. 2, pp. 105-109	
C26	Carter, et al., 1992, <i>Virology</i> , Vol. 190, pp. 443-448	
C27	Carlson, et al., 1985, <i>Journal of Virology</i> , Vol. 55, No. 3, pp. 574-582	
C28	Prud'homme, et al., 1997, <i>Can J Vet Res</i> , Vol. 61, pp. 286-291	
C29	Carlson, et al., June 30, 1987, Genbank Accession No. A03701	
C30	Maeda, et al., Nov. 1, 1998, EMBL Accession No. 090731	
C31	Carter, et al., June 30, 1993, Genbank Accession No. B43382	
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